

**MINUTES OF THE STANDING COMMITTEE
ON LOCAL GOVERNMENT AND URBAN POLICY**

Wednesday, June 15, 2005

3:40 p.m.

Room 519, House Office Building

Vice-Chair Elsenheimer called the Standing Committee on Local Government and Urban Policy to order.

MEMBERS PRESENT: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Tobocman, Accavitti, Donigan, Vagnozzi (11/11)

MEMBERS ABSENT/EXCUSED: None (0/11)

The **Vice-Chair** laid **House Bill 4576** before the committee.

HB 4576	Stakoe	Natural resources; inland lakes; dedicated public access sites; establish allowable uses.
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Chair Stakoe explained the intent of the bill and a proposed **Substitute (H-1)**.

Representative Schuitmaker, supported by **Representative Baxter**, moved to adopt **Substitute (H-1)** to **House Bill 4576**.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Baxter, Schuitmaker, Tobocman, Accavitti, Donigan (8/11)

NAYS: Rep. Vagnozzi (1/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Bill Carey, representing the Michigan Waterfront Alliance, testified in **support** of the bill.

Representative Sheltrown testified in **opposition** to the bill.

Donald Kaufman, President of the Lake Lansing Property Owners Association, testified in **support** of the bill.

Kelly Huntsman, representing the Higgins Lake Civic Association, testified in **opposition** to the bill.

Elizabeth Lieberman, representing the Walloon Lake Association, testified in **support** of the bill.

John Schreck, representing the Higgins Lake Civic Association, testified in **opposition** to the bill.

David Bertram, representing the Michigan Townships Association, testified in **support** of the bill.

Marty Prehm, representing himself, testified in **support** of the bill.

Kathleen Johnson, representing the Higgins Lake Civic Association, testified in **opposition** to the bill.

Ric Federau, representing the Higgins Lake Civic Association, testified in **opposition** to the bill.

Steve Pudvay, representing himself, testified in **opposition** to the bill.

James Riley, representing the Michigan Office of the Attorney General, testified on the bill and answered questions.

Marianne Breidinger, representing herself, testified in **opposition** to the bill.

Marcia Morden, representing herself, testified in **opposition** to the bill.

Robert Aichele, representing himself, testified in **opposition** to the bill.

Isabel Leader, representing herself, testified in **opposition** to the bill.

Eric Ostergren, representing himself, testified in **opposition** to the bill.

Patrick Pudvay, representing himself, testified in **opposition** to the bill.

Christopher Trainer, representing himself, testified in **support** of the bill.

The following people submitted testimony cards in **support** of the bill, but did not wish to speak:

William Case, representing the Higgins Lake Property Owners Association;

George Dyball, representing the Lake Fenton Property Owners Association;

Brad Gibson, from Higgins Lake;

Rick Meeks, representing himself;

Kathryn Bangs, representing herself;

Robert Frye, representing the Michigan Waterfront Alliance;

William Sharp, from Higgins Lake;

Richard Brown, resident of Lake Fenton/Genesee County;

Roger Carey, resident of Lake George/Clare County;

Donald Winne, representing the Corey Lake Association;

Pat Springstead, representing the Higgins Lake Property Owners Association.

Dave Patterson, representing the Burt Lake Preservation Association, submitted a testimony card in **support** of the bill and wished to speak, but was absent when called to testify.

The following people submitted testimony cards in **opposition** to the bill and wished to speak, but did not due to time constraints:

George Dougherty, trustee and planning commissioner for Lyon Township;

Gregory Prusaitis, representing himself;

Leonard Culbert, representing himself;

Sandra Zadorozny, representing herself;

Fred Koenigbauer, representing himself.

The following people submitted a testimony card in **opposition** to the bill, but did not wish to speak:

Walter Burkowski, representing himself;

Donna Burkowski, representing herself;

Paul Ochmaner, representing himself;

Mike Webster, representing himself;

Pam Chwan, representing herself;

James Wincel, representing himself;

Mark Smith, representing the Higgins Lake Civic Association;

Kathlene Fillwock, representing the Non-Riparian Citizens of Higgins Lake;

Duane Fillwock, representing the Non-Riparian Citizens of Higgins Lake;

James Franzen, Gerrish Township property owner;

Dale Fisher, resident of Sovereign Park/Gerrish Township;

Lawrence Merignac, representing Backlotters of Higgins Lake;

Dorothy Merignac, representing Backlotters of Higgins Lake;

Roger Buck, representing himself;

Claudette Buck, representing herself;

Jim Ditulio, representing the Walloon Lake 4th Street Association;

Douglas Waldo, representing the Walloon Lake 4th Street Association;

Susan Moorhead, representing herself;

Bruce Moorhead, representing himself;

Tammy Bonner, representing herself;

Jerry Bonner, representing himself;

Jack Hanika, representing himself;

Dale Hunter, representing himself;

Jean Halm, representing herself;

Cynthia Forsythe, representing herself;

Susan Cey, representing herself;

Doug Trezise, representing himself;

Barbara Trezise, representing herself;

Ronald Young, representing the Grosebeak Boulevard Association/Higgins Lake;

Roger Bowman, representing himself;

Linda Harris, representing herself;

Esther Aichele, representing herself;

Patricia Finkbeiner, representing the Sovereign Park Association of Higgins Lake;

Peggy Fisher, representing the Sovereign Park Association of Higgins Lake;

Merlynn Graff, representing the Sovereign Park Association of Higgins Lake;

Norma Mills, representing the Sovereign Park Association of Higgins Lake;

Fred Mills, representing the Sovereign Park Association of Higgins Lake;

Jerome Kosiba, representing himself;

Ronald Huntsman, representing himself;

Thomas Koscinski, representing himself;

Carol Koscinski, representing herself;

Charles Hatcher, representing himself;

Michael Orlowski, representing himself;

Gary Mason, representing himself;

Jon Kren, representing himself;

Thomas Kish, representing himself;

Janice Kish, representing herself;

Kathy Kren, representing herself;

Leslie Wonsey, representing herself;

Ford Sinicropi, representing himself;

John Raymo, representing himself;

Patrick Murdock, representing himself;

Michael Johnson, representing himself;

Carol Wincel, representing herself;

James Davis, representing himself;

Dorthy Davis, representing herself;

Pearl Bonnell, resident of Long Lake/Iosco County.

Representative Stakoe, supported by **Representative Nitz**, moved to adopt the following amendment to **House Bill 4576 (H-1)**:

1. Amend page 2, line 2, after “**THAN**” by striking out “**4 FEET WIDE OR 25 FEET LONG**” and inserting “**A LENGTH DESIGNATED BY THE DEPARTMENT**”.
2. Amend page 2, line 6, after “**THAN**” by striking out “**4 FEET WIDE AND 25 FEET LONG**” and inserting “**THE LENGTH DESIGNATED BY THE DEPARTMENT UNDER THIS SUBDIVISION**”.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Tobocman, Accavitti, Donigan, Vagnozzi (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Vagnozzi, supported by **Representative Donigan**, moved to adopt the following amendment to **House Bill 4576 (H-1)**:

1. Amend page 2, following line 14, by inserting:
“(2) **A LOCAL UNIT OF GOVERNMENT HAVING JURISDICTION OVER A PUBLIC ROAD THAT TERMINATES AT AND PROVIDES PUBLIC ACCESS TO AN INLAND LAKE OR STREAM MAY DO EITHER OR BOTH OF THE FOLLOWING:**
 (A) REGULATE USES OF THAT PUBLIC ROAD AND PUBLIC ACCESS, INCLUDING SUNBATHING, PICKNICKING, LOUNGING, OR ANY USE THAT DOES NOT OBSTRUCT INGRESS INTO OR EGRESS FROM THE WATER IN ANY MANNER.
 (B) ADOPT AN ORDINANCE TO ISSUE PERMITS ON AN ANNUAL BASIS FOR THE CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF BOAT HOISTS AND A NONEXCLUSIVE DOCK ON THE ROAD OR IN ADJACENT WATERS IF THE USE OF THE BOAT HOISTS AND DOCK DOES NOT OBSTRUCT INGRESS INTO OR EGRESS FROM THE WATER IN ANY MANNER.” and renumbering the remaining subsections.

UNFAVORABLE ROLL CALL:

YEAS: Reps. Tobocman, Accavitti, Donigan, Vagnozzi (4/11)

NAYS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker (7/11)

PASS: None (0/11)

An insufficient number of members voting in the affirmative, the **motion did not prevail**.

Representative Vagnozzi, supported by **Representative Donigan**, moved to adopt the following amendment to **House Bill 4575 (H-1)**:

1. Amend page 2, line 19, after “**SECTION**” by inserting “**TO REGULATE THE USE OF ROAD ENDS WITHIN THE JURISDICTION OF THE LOCAL UNIT OF GOVERNMENT IF THE USES AUTHORIZED UNDER THE ORDINANCE DO NOT EXCEED THE SCOPE OF THE DEDICATION AND ARE OTHERWISE IN COMPLIANCE WITH LAW**”.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Tobocman, Accavitti, Donigan, Vagnozzi (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Nitz, supported by **Representative Schuitmaker**, moved to report **House Bill 4576**, with recommendation, as **Substitute (H-3)**.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti (8/11)

NAYS: Reps. Tobocman, Donigan, Vagnozzi (3/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Vagnozzi, supported by **Representative Tobocman**, moved to adopt the minutes from the meeting held on **June 1, 2005**. Hearing no objection, the **motion prevailed** with unanimous consent.

There being no further business to come before the committee, the **Vice-Chair** declared the meeting adjourned, the time being **5:40 p.m.**

Representative Kevin Elsenheimer, Vice-Chair

Jean Hamelin, Committee Clerk
(517) 373-5632